

*Miss. Code Ann. § 23-15-11*

## MISSISSIPPI CODE of 1972

\*\*\* Current through the 2011 Regular Session \*\*\*

TITLE 23. ELECTIONS  
CHAPTER 15. MISSISSIPPI ELECTION CODE  
ARTICLE 3. VOTER REGISTRATION  
A. QUALIFICATION OF ELECTORS

Miss. Code Ann. § 23-15-11 (2011)

## § 23-15-11. Qualifications, generally

Every inhabitant of this state, except persons adjudicated to be non compos mentis, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he seeks to vote, and for thirty (30) days in the incorporated municipality in which he seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who has never been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his residence, and shall be entitled to vote at any election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary election associated with the general election, may vote in the primary election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary election. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

**HISTORY:** SOURCES: Derived from 1972 Code § 21-11-1 [Codes, 1892, § 3028; 1906, § 3433; Hemingway's 1917, § 5993; 1930, § 2595; 1942, § 3374-60; Laws, 1950, ch. 491, § 60; Laws, 1984, ch. 457, § 2; repealed by Laws, 1986, ch. 495, § 329], § 23-3-11 [Codes, 1942, § 3160; Laws, 1935, ch. 19; Laws, 1936, ch. 320; Laws, 1955 Ex ch. 100, § 2; repealed by Laws, 1986, ch. 495, § 333], and § 23-3-85 [Codes, 1892, § 3631; 1906, § 4138; Hemingway's 1917, § 6772; 1930, § 6207; 1942, § 3235; Laws, 1952, ch. 398, § 2; Laws, 1955, Ex Sess, ch. 101; Laws, 1962, ch. 575; Laws, 1965 Ex Sess, ch. 18, § 1; repealed by Laws, 1986, ch. 495, § 335]; en, Laws, 1986, ch. 495, § 2; Laws, 1997, ch. 315, § 1; Laws, 2000, ch. 430, § 2; Laws, 2008, ch. 442, § 10, eff from and after July 1, 2008.

In

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*Miss. Code Ann. § 23-15-33*

MISSISSIPPI CODE of 1972

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TITLE 23. ELECTIONS  
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ARTICLE 3. VOTER REGISTRATION  
B. PROCEDURES FOR REGISTRATION

Miss. Code Ann. § 23-15-33 (2011)

§ 23-15-33. Registrar to register voters

(1) Every person entitled to be registered as an elector in compliance with the laws of this state and who has signed his name on and properly completed the application for registration to vote shall be registered by the registrar in the voting precinct of the residence of such person through the Statewide Elections Management System.

(2) Every person entitled to be registered as an elector in compliance with the laws of this state and who registers to vote pursuant to the National Voter Registration Act of 1993 shall be registered by the registrar in the voting precinct of the residence of such person through the Statewide Elections Management System.

**HISTORY:** SOURCES: Derived from 1972 Code § 23-5-31 [Codes, 1880, § 106; 1892, § 3611; 1906, § 4117; Hemingway's 1917, § 6751; 1930, § 6184; 1942, § 3212; Laws, 1955, Ex ch. 99; Laws, 1962, ch. 569, § 2; Laws, 1965 Ex Sess, ch. 13, § 1; Laws, 1978, ch. 393, § 2; Laws, 1984, Ch. 460, § 2; repealed by Laws, 1986, ch. 495, § 335]; en. Laws, 1986, ch. 495, § 9; Laws, 1991, ch. 440, § 7; Laws, 2000, ch. 430, § 1; Laws, 2006, ch. 574, § 1, eff June 5, 2006 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section.)

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*Miss. Code Ann. § 23-15-41*

MISSISSIPPI CODE of 1972

\*\*\* Current through the 2011 Regular Session \*\*\*

TITLE 23. ELECTIONS  
CHAPTER 15. MISSISSIPPI ELECTION CODE  
ARTICLE 3. VOTER REGISTRATION  
B. PROCEDURES FOR REGISTRATION

Miss. Code Ann. § 23-15-41 (2011)

§ 23-15-41. Endorsement of application; completion of registration

(1) When an applicant to register to vote has completed the application form as prescribed by administrative rule, the registrar shall enter the Statewide Elections Management System voter record where the voter status will be marked "ACTIVE", "PENDING" or "REJECTED" and the applicant shall be entitled to register upon his request for registration made in person to the registrar, or deputy registrar if a deputy registrar has been appointed. No person other than the registrar, or a deputy registrar, shall register any applicant.

(2) If an applicant is not qualified to register to vote, then the registrar shall enter the Statewide Elections Management System voter record where the voter's status shall be marked "PENDING" or "REJECTED", specify the reason or reasons therefor, and notify the election commission of those rejected.

**HISTORY:** SOURCES: Derived from 1972 Code § 23-5-33 [Codes, 1942, § 3212.5; Laws, 1962, ch. 571, §§ 1-6; Laws, 1965 Ex Sess, ch. 14, § 1; repealed by Laws, 1986, ch. 495, § 335]; en, Laws, 1986, ch. 495, § 13; Laws, 1991, ch. 440, § 9; Laws, 2006, ch. 574, § 4, eff June 5, 2006 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section.)

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*Miss. Code Ann. § 23-15-43*

MISSISSIPPI CODE of 1972

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TITLE 23. ELECTIONS  
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ARTICLE 3. VOTER REGISTRATION  
B. PROCEDURES FOR REGISTRATION

Miss. Code Ann. § 23-15-43 (2011)

§ 23-15-43. Automatic review where person is not approved for registration

In the event applicant is not registered, there shall be an automatic review by the county election commissioners under the procedures provided in Sections 23-15-61 through 23-15-79. In addition to the meetings of the election commissioners provided under said sections, the commissioners are required to hold such additional meetings to determine all pending cases of registration on review prior to the election at which the applicant desires to vote.

It is not the purpose of this section to indicate the decision which should be reached by the election commissioners in certain cases but to define which applicants should receive further examination by providing for an automatic review.

**HISTORY:** SOURCES: Derived from 1972 Code § 23-5-305 [Codes, 1942, § 3203-503; Laws, 1972, ch. 490, § 503; Laws, 1975, ch. 502, § 2; repealed by Laws, 1986, ch. 495, § 337]; en, Laws, 1986, ch. 495, § 14, eff from and after January 1, 1987.

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Pages: 2

*Miss. Code Ann. § 23-15-45*

MISSISSIPPI CODE of 1972

\*\*\* Current through the 2011 Regular Session \*\*\*

TITLE 23. ELECTIONS  
CHAPTER 15. MISSISSIPPI ELECTION CODE  
ARTICLE 3. VOTER REGISTRATION  
B. PROCEDURES FOR REGISTRATION

Miss. Code Ann. § 23-15-45 (2011)

### § 23-15-45. Notice to person denied registration

In the event that registration is denied pending automatic review by the county election commissioners, the registrar shall immediately inform the applicant that the registration is denied and advise the applicant of the date, time and place of the next meeting of the county election commissioners, at which time the applicant may present such evidence either in person or in writing as he deems pertinent to the question of residency.

**HISTORY:** SOURCES: Derived from 1972 Code § 23-5-307 [Codes, 1942, § 3203-504; Laws, 1972, ch. 490, § 504; repealed by Laws, 1986, ch. 495, § 337]; en, Laws, 1986, ch. 495, § 15, eff from and after January 1, 1987.

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Pages: 2

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*Miss. Code Ann. § 23-15-47*

## MISSISSIPPI CODE of 1972

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TITLE 23. ELECTIONS  
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ARTICLE 3. VOTER REGISTRATION  
B. PROCEDURES FOR REGISTRATION

Miss. Code Ann. § 23-15-47 (2011)

## § 23-15-47. Registering to vote by mail-in application

(1) Any person who is qualified to register to vote in the State of Mississippi may register to vote by mail-in application in the manner prescribed in this section.

(2) The following procedure shall be used in the registration of electors by mail:

(a) Any qualified elector may register to vote by mailing or delivering a completed mail-in application to his county registrar at least thirty (30) days prior to any election. The postmark date of a mailed application shall be the date of registration.

(b) Upon receipt of a mail-in application, the county registrar shall stamp the application with the date of receipt, and shall verify the application by contacting the applicant by telephone, by personal contact with the applicant, or by any other method approved by the Secretary of State. Within twenty-five (25) days of receipt of a mail-in application, the county registrar shall complete action on the application, including any attempts to notify the applicant of the status of his application.

(c) If the county registrar determines that the applicant is qualified and his application is legible and complete, he shall mail the applicant written notification that the application has been approved, specifying the county voting precinct, municipal voting precinct, if any, polling place and supervisor district in which the person shall vote. This written notification of approval containing the specified information shall be the voter's registration card. The registration cards shall be provided by the county registrar. Upon entry of the voter registration information into the Statewide Elections Management System, the system shall assign a voter registration number to the person. The assigned voter registration number shall be clearly shown on the written notification of approval. In mailing the written notification, the county registrar shall note the following on the envelope: "DO NOT FORWARD". If any registration notification form is returned as undeliverable, the voter's registration shall be void.

(d) A mail-in application shall be rejected for any of the following reasons:

(i) An incomplete portion of the application which makes it impossible for the registrar to determine the eligibility of the applicant to register;

(ii) A portion of the application which is illegible in the opinion of the county registrar and makes it impossible to determine the eligibility of the applicant to register;

(iii) The county registrar is unable to determine, from the address and information stated on the application, the precinct in which the voter should be assigned or the supervisor district in which he is entitled to vote;

(iv) The applicant is not qualified to register to vote pursuant to Section 23-15-11;

(v) The registrar determines that the applicant is registered as a qualified elector of the county;

(vi) The county registrar is unable to verify the application pursuant to subsection (2) (b) of this section.

(e) If the mail-in application of a person is subject to rejection for any of the reasons set forth in paragraph (d) (i) through (iii) of this subsection, and it appears to the registrar that the defect or omission is of such a minor nature and that any necessary additional information may be supplied by the applicant over the telephone or by further correspondence, the registrar may write or call the applicant at the telephone number provided on the application. If the registrar is able to contact the applicant by mail or telephone, he shall attempt to ascertain the necessary information and if this information is sufficient for the registrar to complete the application, the applicant shall be registered. If the necessary information cannot be obtained by mail or telephone or is not sufficient, the registrar shall give the applicant written notice of the rejection and provide the reason for the rejection. The registrar shall further inform the applicant that he has a right to attempt to register by appearing in person or by filing another mail-in application.

(f) If a mail-in application is subject to rejection for the reason stated in paragraph (d)(v) of this subsection and the "present home address" portion of the application is different from the residence address for the applicant found in the registration book, the mail-in application shall be deemed a written request to transfer registration pursuant to Section 23-15-13. Subject to the time limits and other provisions of Section 23-15-13, the registrar or the election commissioners shall note the new residence address on his records and, if necessary, transfer the applicant to his new county precinct or municipal precinct, if any, advise the applicant of his new county precinct or municipal precinct, if any, polling place and supervisor district.

(3) The instructions and the application form for voter registration by mail shall be in a form established by rule duly adopted by the Secretary of State.

(4) (a) The Secretary of State shall prepare and furnish without charge the necessary forms for application for voter registration by mail to each county registrar, municipal clerk, all public schools, each private school that requests such applications, and all public libraries.

(b) The Secretary of State shall distribute without charge sufficient forms for application for voter registration by mail to the Commissioner of Public Safety, who shall distribute such forms to each driver's license examining and renewal station in the state, and shall ensure that the forms are regularly available to the public at such stations.

(c) Bulk quantities of forms for application for voter registration by mail shall be furnished by the Secretary of State to any person or organization. The Secretary of State shall charge a person or organization the actual cost he incurs in providing bulk quantities of forms for application for voter registration to such person or organization.

(5) The originals of completed mail-in applications shall remain on file in the office of the county registrar in accordance with Section 23-15-113. Nothing in this section shall preclude having applications on microfilm, microfiche or as an electronic image.

(6) If the applicant indicates on the application that he resides within the city limits of a city or town in the county of registration, the county registrar shall enter the information into the Statewide Elections Management System. The county registrar shall send municipal voting precinct information by United States first-class mail, postage prepaid, to the person at the address provided on the application. Any and all mailing costs incurred by the county registrar or the clerk of the municipality in effectuating this subsection shall be paid by the governing authority of the municipality. If a review of the application for registration or changes to the registration indicates that the applicant is not qualified to vote in the municipality, the registrar shall notify the applicant of the correct county precinct.

(7) If the applicant indicates on the application that he has previously registered to vote in another county of this state or another state, notice to the voter's previous county of registration in this state shall be provided by the Statewide Elections Management System. If the voter's previous place of registration was in another state, notice shall be provided to the voter's previous state of residence if the Statewide Elections Management System has that capability.

(8) Any person who attempts to register to vote by mail shall be subject to the penalties for false registration provided for in Section 23-15-17.

**HISTORY:** SOURCES: Laws, 1991, ch. 440, § 1; Laws, 1993, ch. 528, § 3; Laws, 1994, ch. 600, § 1; Laws, 2004, ch. 305, § 10; Laws, 2006, ch. 574, § 5, eff June 5, 2006 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section.)

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